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Atty. Dkt. No. 040356-0596

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Atsushi OHMA et al.

Title: FUEL CELL

Appl. No.: 10/594,385

International 02/17/2005

Filing Date:

371(c) Date: 09/27/06

Examiner: Unassigned

Art Unit: 1746

Confirmation 9441

Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

In a counterpart German application, an Office Action dated July 2, 2007, was received by Applicants. According to an English translation of the German Office Action obtained by Applicants' representative, the German Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the German Office Action. A copy of the German Office Action and English language translation are attached herewith.

Applicants wish to advise the Examiner that document EP 1 176 654, cited in the German Office Action, was previously submitted in an Information Disclosure Statement dated September 27, 2006, and is not provided herewith.

Document US 2002/0192533, submitted on September 27, 2006, and document DE 199 08 591, provided herewith, belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-


English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 29, 2007

By 

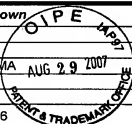
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

<b>Application Number</b>	10/594,385
<b>Filing Date</b>	02/17/2005
<b>First Named Inventor</b>	Atsushi OHMURA
<b>Art Unit</b>	1746
<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	040356-0596



U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A1	4,567,117	01-28-1986	PATEL ET AL.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
	A2	DE 199 62 686 A1	07-26-2001	SIEMENS AG ET AL.		Abst.
	A3	DE 199 08 591 A1	08-31-2000	KERNFORSCHUNGSANLAGE JUELICH		Abst.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Date  
Considered

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*